

1/FW 2627

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 2, 2006 Name: James P. Naughton, Reg No 30,665 Signature: [Signature]

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Hideki Ito

Appln. No.: 10/057,603

Filed: January 24, 2002

For: **AUDIO DEVICE CAPABLE OF PLAYING  
BACK AUDIO FILES FROM A PLURALITY  
OF SESSIONS**

Attorney Docket No: 9333/284

Examiner: Tan X. Dinh

Art Unit: 2627

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached are:**

- ☒ PTO Transmittal (in dup.), Supplemental Information Disclosure Statement; Form PTO-1449; Copies of Japanese Patents and Abstracts for JP 08-007539 and JP 10-283717, Check for \$180; and
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☒ A petition or processing fee in an amount of \$180 under 37 C.F.R. § 1.17(p).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim						+\$180=		+ \$360=	
					Total	\$		Total	\$

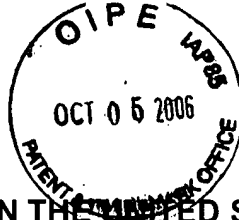
**Fee payment:**

- ☒ A check in the amount of \$180 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

[Signature]  
James P. Naughton (Reg. No. 30,665)

October 2, 2006  
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hideki Ito

Serial No.: 10/057,603

Filing Date: January 24, 2002

For: AUDIO DEVICE CAPABLE OF PLAYING  
BACK AUDIO FILES FROM A PLURALITY OF  
SESSIONS

Attorney Docket No. 9333/284

Examiner: Tan X. Dinh

Group Art Unit No.: 2627

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicant hereby cites the following references:

**FOREIGN PATENT DOCUMENTS**

<b>DOCUMENT NUMBER</b> Number-Kind Code (if known)	<b>DATE</b> MM/YYYY	<b>COUNTRY</b>
08-007539	01/12/1996	Japan
10-283717	10/23/1998	Japan

Applicant hereby certifies pursuant to 37 C.F.R. §1.97(e)(1) that each item of information contained in this Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (a copy and translation of the August 22, 2006 Office Action from the Japanese patent office citing the two listed references are enclosed for the Examiner's reference).

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Pursuant to 37 C.F.R. §1.98(a)(3), Applicant believes the listed references may be potentially relevant as set forth in the August 22, 2006 Office Action from the Japanese patent

office. Applicant respectfully requests the Examiner's consideration of the above references and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has further calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicant has enclosed a check covering this fee, or authorized charging the fee to a deposit account, as indicated in the Transmittal accompanying this Statement.

Respectfully submitted,

October 2, 2006

Date

  
\_\_\_\_\_  
James P. Naughton (Reg. No. 30,665)



FORM PTO-1449	SERIAL NO. 10/057,603	CASE NO. 9333/284
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 24, 2002	GROUP ART UNIT 2627
(use several sheets if necessary)	APPLICANT(S): Hideki Ito	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B					
	B					
	B					

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO
	B1.	08-007539	01/12/1996	Japan		Abstract
	B2.	10-283717	10/23/1998	Japan		Abstract
	B					
	B					

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	B	None
	B	
	B	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.